

RULE-MAKING COVER SHEET

Title of Proposed Rule: 2012 Legislatively Driven Child Care Rules Changes and Implementation of Provisions of S.B. 12-043, H.B. 12-1228, and H.B. 12-1276

Rule-making#: 12-8-2-1

| | | |
|--|-------------------------------|-----------------------------------|
| Office/Division or Program: | Rule Author: David A. Collins | Phone: 303-866-5946 |
| Office Early Childhood/Division of Early Childhood | | E-Mail: David.Collins@state.co.us |

Type of Rule: *(complete a and b, below)*

- a. Board Executive Director
- b. Regular Emergency

This package is submitted to State Board Administration as:

- Initial Circulation (check all that apply)
- that creates a rule(s) Update # _____
 that revises a rule(s)
 that is technical clean-up of a rule(s)
- Cancel

Specify reason(s) for update or cancellation:

| | |
|---|----------------------|
| Number of rules included for repeal | <u>6</u> |
| Number of rules included for revision | <u>3</u> |
| What month is being requested for this rule to first go before the State Board? | <u>January 2013</u> |
| What date is being requested for this rule to be effective? | <u>April 1, 2013</u> |

I hereby certify that I am aware of this rule-making and that any necessary consultation with the Executive Director's Office, Budget and Policy Unit, and Office of Information Technology has occurred.

Office Director Approval: _____ Date: _____

Boards & Commissions Director Approval: _____ Date: _____

REVIEW TO BE COMPLETED BY STATE BOARD ADMINISTRATION

| | | | |
|-----------------------------|------------|-------------|----------------|
| Approved | | Date: | |
| Conditional | | Comments: | |
| Disapproved | | | |
| 12/12/2012 | 01/04/2013 | 02/01/2013 | 04/01/2013 |
| Pre-Board | 1st Board | 2nd Board | Effective Date |
| Approved to go to AG: _____ | | Code: _____ | |

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STATEMENT OF BASIS AND PURPOSE

Summary of the basis and purpose for the rule or rule change. *(State what the rule says or does, explain why the rule or rule change is necessary and what the program hopes to accomplish through this rule.)*

The rule changes will eliminate or amend rules that have been reviewed by the Office of Legislative Legal Services and found to be in conflict with state statute and to make additional corrections subsequent to adoption of the following rules.

- The definition of Children's Resident Camp located at 7.701.2, D, and 7.711.1, C, have language inconsistent with 26-6-102(2.2), C.R.S. regarding the ages of children who may attend a resident camp. Specifically, when rule-making was undertaken to amend the rules to be in compliance with Senate Bill 12-043, part of the definition relating to travel camps was not changed and still limits the ages of campers in a travel camp to eighteen (18) years of age. This rule-making is also necessary because the Office of Legislative Legal Services discovered the errors in our new Resident Children's Camp rules that conflict with current statute.
- The Neighborhood Youth Organization rules contain provisions that the NYO's are exempted from by statute, specifically 7.720.41, C, requiring TRAILS background checks and 7.720.72, B, and 7.720.81, G, regarding gathering the allergy information of youth members in care. NYO's are currently filing appeals to waive these rules until we change the rules.
- House Bill 12-1228 changed the background check requirements for Neighborhood Youth Organizations. Reference to the statute will be made in rule.
- House Bill 12-1276, creating 26-6-105.7, C.R.S., creates appeal rights related to materials waivers/appeals filed by licensed child care centers. While such a waiver/appeal right actually already existed under 26-6-106(3), C.R.S., the new law creates specific standards for the facility writing the materials waiver/appeal, and for the Department in the handling of waivers/appeals. Although there are now two separate statutory sections in the Child Care Licensing Act regarding waivers/appeals, the rules will be universal to all appeals with limited exceptions for the statutory requirements regarding the content of materials waivers.
- Ongoing Rule Reduction Review: A conflict exists between the General Rules in Section 7.701.52, and the Child Care Center Rules in Section 7.702.103, B, regarding the reporting of critical incidents. These proposed rules will align reporting requirements.

An emergency rule-making (which waives the initial Administrative Procedure Act noticing requirements) is necessary:

to comply with state/federal law and/or

to preserve public health, safety and welfare

Explain:

Authority for Rule:

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State Board Authority: 26-1-107, C.R.S. (2012) State Board to promulgate rules; 26-1-109, C.R.S. (2012) State Board rules to coordinate with federal programs; 26-1-111, C.R.S. (2012) State Board to promulgate rules for public assistance and welfare activities.

Program Authority:
26-6-102(202), C.R.S. (2012) - changed the statutory definition of Children’s Resident Camp;
26-6-107, C.R.S. (2012) - CHDS is authorized to make rules;
26-6-103.7(2), C.R.S. (2012) - CDHS is authorized to make rules regarding Neighborhood Youth Organizations

| | | | | |
|--|--------------------------|-----|-------------------------------------|----|
| Does the rule incorporate material by reference? | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |
| Does this rule repeat language found in statute? | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |

If yes, please explain.

The program has sent this proposed rule-making package to which stakeholders?

This rule package has been posted on the Division of Early Learning and Care Website with a link to an internet based comment option. All licensed providers have been sent an e-mail regarding the proposed rule package and the opportunity for comment. This includes family child care home providers, child care center providers, pre-schools, school aged programs, residential camps, and all 24-hour license types.

[Note: Changes to rule text are identified as follows: deletions are shown as “~~strikethrough~~”, additions are in “all caps”, and changes made between initial review and final adoption are in brackets.]

Attachments:
Regulatory Analysis
Overview of Proposed Rule
Stakeholder Comment Summary

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REGULATORY ANALYSIS

(complete each question; answers may take more than the space provided)

1. List of groups impacted by this rule:

Which groups of persons will benefit, bear the burdens or be adversely impacted by this rule?

Children's Resident Camps and Neighborhood Youth Organizations, all licensed child care facilities.

2. Describe the qualitative and quantitative impact:

How will this rule-making impact those groups listed above? How many people will be impacted? What are the short-term and long-term consequences of this rule?

For Children's Resident Camps, the effect will be to pull rules into compliance with the law. This will allow camps to offer their travel camps to a broader age-range of children.

For Neighborhood Youth Organizations, the rule changes will save the NYO's the cost of obtaining TRAILS background checks, which costs \$33.00 per person, and save NYO's the workload of determining food allergies of children and the costs associated with eliminating allergy causing foods from the facilities.

For licensed child care centers, the materials waiver/appeal rights afforded under the new law will be operationalized in rule. The rules relating to appeal rights of a denied waiver will apply to all license types. Additionally, a conflicting rule regarding injury reporting at licensed child care centers will be eliminated.

3. Fiscal Impact:

For each of the categories listed below explain the distribution of dollars; please identify the costs, revenues, matches or any changes in the distribution of funds even if such change has a total zero effect for any entity that falls within the category. If this rule-making requires one of the categories listed below to devote resources without receiving additional funding, please explain why the rule-making is required and what consultation has occurred with those who will need to devote resources.

State Fiscal Impact *(Identify all state agencies with a fiscal impact, including any Colorado Benefits Management System (CBMS) change request costs required to implement this rule change)*

No fiscal impact is anticipated.

County Fiscal Impact

No fiscal impact is anticipated.

Federal Fiscal Impact

No fiscal impact is anticipated.

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REGULATORY ANALYSIS (continued)

Other Fiscal Impact (such as providers, local governments, etc.)

The only fiscal impact anticipated will be on the savings Neighborhood Youth Organizations may realize by using alternate forms of criminal background checks. The Neighborhood Youth Organization may also realize some savings from not tracking or monitoring allergy information for youth.

4. Data Description:

List and explain any data, such as studies, federal announcements, or questionnaires, which were relied upon when developing this rule?

No data or studies were relied upon for this rule making.

5. Alternatives to this Rule-making:

Describe any alternatives that were seriously considered. Are there any less costly or less intrusive ways to accomplish the purpose(s) of this rule? Explain why the program chose this rule-making rather than taking no action or using another alternative.

No alternative exists for the rule making related to Children's Resident Camps as the office of Legislative Counsel has indicated that this rule change is required.

No alternative exists for the rule making related to Neighborhood Youth Organizations as the rules being repealed exceed statutory authority.

No alternative exists for rule making related to licensed child care centers and material waivers/appeals because the statute passed in 2012 requires further definition in rule.

No alternative exists for eliminating the current conflicting rule requiring child care centers to report incidents.

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OVERVIEW OF PROPOSED RULE

Compare and/or contrast the content of the current regulation and the proposed change.

| <u>Section Numbers</u> | <u>Current Regulation</u> | <u>Proposed Change</u> | <u>Stakeholder Comment</u> | | |
|------------------------|--|---|----------------------------|-------------------------------------|----|
| 7.701.13 | Rules regulating waivers and appeals | Amends the rules to comply with standards under HB 12-1276, including deadlines for appeal hearings, standards for materials waivers, and waiver/appeal review rights | Yes | <input checked="" type="checkbox"/> | No |
| 7.701.2, D | Limits age of travel-trip campers to 10-18yrs of age | Eliminate the cap at 18yrs of age which results in a default to the statutory definition of the age of children in children's resident camps | Yes | <input checked="" type="checkbox"/> | No |
| 7.701.33 | NYO background check rules that conflict with statute | Repeal rule and replace with reference to the statutory background check requirements | Yes | <input checked="" type="checkbox"/> | No |
| 7.701.52 | Rules regulating reporting of critical incidents | Amend to use language applicable to all license types | Yes | <input checked="" type="checkbox"/> | No |
| 7.702.103, B | Rules regulating reporting of critical incidents requiring medical attention | Repeal of rule as general rules cover this reporting requirement for child care centers. | Yes | <input checked="" type="checkbox"/> | No |
| 7.711.1, C | Limits age of travel campers to 10-18yrs of age | Eliminate the cap at 18yrs of age which results in a default to the statutory definition of the age of children in children's resident camps | Yes | <input checked="" type="checkbox"/> | No |
| 7.720.41, C | Requires TRAILS background check for Neighborhood Youth Organization employees | Repeals the rule | Yes | <input checked="" type="checkbox"/> | No |

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|-------------|--|-------------------|-----|-------------------------------------|----|
| 7.720.72, B | Requires gathering of allergy information | Repeals the rule | Yes | <input checked="" type="checkbox"/> | No |
| 7.720.81, G | Requires gathering of allergy information. | Repeals the rule. | Yes | <input checked="" type="checkbox"/> | No |

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STAKEHOLDER COMMENT SUMMARY

DEVELOPMENT

The following individuals and/or entities were included in the development of these proposed rules (such as other Program Areas, Legislative Liaison, and Sub-PAC):

Boys and Girls Clubs of Colorado (our currently licensed and prospective NYO licenses), all Colorado Children's Resident Camps and the American Camp Association. All licensed providers were given the opportunity for notice and comment as the changes to waiver denial appeal rights affect all license types.

THIS RULE-MAKING PACKAGE

The following individuals and/or entities were contacted and informed that this rule-making was proposed for consideration by the State Board of Human Services:

Boys and Girls Clubs of Colorado (our currently licensed and prospective NYO licenses), all Colorado Children's Resident Camps and the American Camp Association. All licensed child care facilities as appeal rights apply to all license types.

Are other State Agencies (such as Colorado Department of Health Care Policy and Financing) impacted by these rules? If so, have they been contacted and provided input on the proposed rules?

Yes No

Have these rules been reviewed by the appropriate Sub-PAC Committee?

Yes No

Date presented _____. Were there any issues raised? ____ Yes ____ No

If not, why.

This rule Package will be presented at the January, 2013 Sub-Pac meeting.

Comments were received from stakeholders on the proposed rules:

Yes No

If "yes" to any of the above questions, summarize and/or attach the feedback received by specifying the section and including the Department/Office/Division response. Provide proof of agreement or ongoing issues with a letter or public testimony by the stakeholder.

(12 CCR 2509-8)

7.701.13 Waivers

- A. A person who has applied for or been issued a certificate or license to operate a child care facility or child placement agency has the right to request a waiver of any rule or regulation which, in his/her opinion, works an undue hardship on the person, facility, or the community, or has been too stringently applied by a representative of the Department.
- B. Requests for waivers must be submitted to the department in writing within SIXTY (60) calendar days of the date on which the rule allegedly was too stringently applied or created the hardship. Requests must include the name and address of the facility, its assigned license number, the citation of the rule for which a waiver is being sought, and all relevant information regarding the alleged hardship or evidence of the rule being too stringently applied.
- C. MATERIAL WAIVERS ARE EXEMPT FROM THE REQUIREMENT, FOUND AT SECTION 7.701.13, A, TO ESTABLISH THAT THE RULES WORK AN UNDUE HARDSHIP ON THE PERSON, FACILITY, OR COMMUNITY, OR HAS BEEN TOO STRINGENTLY APPLIED BY A REPRESENTATIVE OF THE DEPARTMENT. MATERIAL WAIVERS ARE EXEMPT FROM THE REQUIREMENT TO FILE WITHIN SIXTY (60) CALENDAR DAYS OF ANY EVENT, AND MAY BE FILED AT ANY TIME.
- ~~E.~~ D. The Department will designate, pursuant to the Child Care Licensing Act, Section 26-6-106(3) C.R.S., an appeal panel, which will meet to review appeal requests and make recommendations to the Department. Requests SHALL BE SUBMITTED TO THE OFFICE OF EARLY CHILDHOOD ~~should be submitted to the Division of Child Care Services.~~
- E. THE DEPARTMENT SHALL MAKE A DECISION ON WAIVER REQUESTS AND NOTIFY THE CHILD CARE CENTER OF ITS DECISION WITHIN SIXTY (60) CALENDAR DAYS OF RECEIPT OF THE REQUEST.
- ~~D.~~ F. If a child care facility or agency is aggrieved by the decision of the appeal panel, the facility or agency has a right to APPEAL THE DECISION ~~a formal hearing pursuant to Section 24-4-105, C.R.S.~~, if the facility or agency petitions the Department in writing within FORTY-FIVE (45) ~~30~~ calendar days of receipt of the written appeal decision.
- G. THE DEPARTMENT SHALL ACT UPON THE APPEAL WITHIN FORTY-FIVE (45) CALENDAR DAYS AND SHALL PROVIDE NOTICE OF ITS DECISION ON THE APPEAL WITHIN TEN (10) CALENDAR DAYS.
- H. THE APPEALING CHILD CARE CENTER HAS THE RIGHT TO REQUEST A MEETING IN PERSON WITH DEPARTMENT PERSONNEL REGARDING THE APPEAL.
- I. THE ENTIRE APPEALS PROCESS SHALL LAST NO LONGER THAN ONE-HUNDRED (100) CALENDAR DAYS AFTER THE DATE OF THE NOTICE OF THE DENIAL OF THE WAIVER REQUEST.
- ~~E.~~ J. Written decisions of the appeal panel SHALL ~~must~~ be posted beside the child care license, BUT POSTING OF THE DECISION SHALL NOT OCCUR UNTIL THE APPEAL IS FINAL.
- K. CHILD CARE CENTERS MAY AT ANY TIME APPLY FOR A WAIVER TO USE CERTAIN MATERIALS IN ITS PROGRAM. A CHILD CARE CENTER SEEKING A WAIVER FOR THE USE OF CERTAIN MATERIALS SHALL ADOPT A POLICY THAT:
 - 1. ENSURES THAT INSTRUCTORS IN THE CHILD CARE CENTER ARE TRAINED IN THE USE OF THE MATERIALS IN A WAY THAT PROVIDES REASONABLE SAFETY PROVISIONS FOR USE BY CHILDREN; AND,

2. REQUIRES PARENTAL NOTIFICATION OF THE USE OF THE MATERIALS IN THE CHILD CARE CENTER AND THE POTENTIAL SAFETY RISKS ASSOCIATED WITH THE MATERIALS. THE POLICY SHALL REQUIRE THE CHILD CARE CENTER TO OBTAIN SIGNED PARENTAL CONSENT FORMS ACKNOWLEDGING AWARENESS OF THE RISKS IN USING THE MATERIALS IN THE CHILD CARE CENTER.

7.701.2 DEFINITIONS [Rev. eff. 6/1/12]

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D. Children's Resident Camp

A "Children's Residential Camp", is defined at Section 26-6-102(2.2), C.R.S.

1. A residential camp may have a "Primitive Camp" which is a portion of the permanent camp premises or another site at which the basic needs for camp operation such as places of abode, water supply systems, and permanent toilet and/or cooking facilities are not usually provided.
- ~~2. A "Trip Camp" is a camp in which children move from one site to another by means of the child's own power or by a transportation mode permitting the child's guidance of a vehicle or animal. The trip camp originates in Colorado and operates for three or more consecutive 24-hour days during the year for the care of 5 or more children who are at least 10 years old or have completed the fourth grade to 18.~~
2. A "travel-trip camp" shall be known as a camp in which there is no permanent camp site and children move from one site to another. The travel-trip camp either originates in Colorado or moves into and/or through Colorado from another state and operates for three or more consecutive 24-hour days during one or more seasons of the year for the care of five or more children who are at least 10 years old or have completed the fourth grade. The program shall have as its purpose a group learning experience offering educational and recreational activities utilizing an outdoor environment.

7.701.33 Criminal Record Check [Rev. eff. 6/1/12]

A. Criminal records checks are required under the following circumstances:

1. Each applicant listed below shall submit to the Colorado Bureau of Investigation (CBI) and the Federal Bureau of Investigation (FBI) a complete set of fingerprints taken by a qualified law enforcement agency to obtain any criminal record held by the CBI and FBI. Payment of the fee for the criminal record check is the responsibility of the individual being checked, identified as follows:
 - a. Each applicant for an original license for a center, facility, or agency and any adult eighteen (18) years of age or older who resides in the licensed center, facility or agency.
 - b. Each exempt family child care home provider who provides care for a child and each individual who provides care for a child who is related to the individual (referred collectively in this section as a "qualified provider"), if the child's care is funded in whole or in part with money received on the child's behalf from the publicly funded Colorado Child Care Assistance Program; and, any adult eighteen (18) years of age or older who resides with a qualified provider where the care is provided.
 - c. Applicants for an original certificate for a foster care home, and any adult eighteen (18) years of age or older who resides in the certified foster care home.
 - d. Specialized group home parents and any person working in a twenty-four (24) hour child care facility.
2. Each applicant for an original license for a Neighborhood Youth Organization shall COMPLY WITH THE CRIMINAL BACKGROUND CHECK REQUIREMENTS FOUND AT SECTION 26-6-103.7, C.R.S. ~~complete a criminal background check and shall require all employees and volunteers who work directly with or will work directly with youth members five or more days in a calendar month to obtain, prior to employment a fingerprint based criminal history check through the Colorado Bureau of Investigation (CBI) and the Federal Bureau of Investigation (FBI).~~

The applicant shall ascertain whether the person being investigated has been convicted of felony child abuse as specified in Section 18-6-401, C.R.S., or a felony offense involving unlawful sexual behavior as defined in Section 16-22-102(9), C.R.S. The Neighborhood Youth Organization shall not hire a person as an employee or approve a person as a volunteer after confirmation of such a criminal history.

7.701.52 Reports

- A. Within TWENTY FOUR (24) hours, excluding weekends and holidays, of the occurrence of a critical incident at the facility (or FOR 24-HOUR FACILITIES, within 24 hours of a child's return to the facility if the child was on authorized or unauthorized leave from the facility) the facility or child placement agency must report in writing to the licensing or certifying authority the following critical incidents involving a child in the care of the facility or a staff member on duty:
1. The death of a child or staff member as a result of an accident, suicide, assault, or any natural cause while at the facility, or while on authorized or unauthorized leave from the facility.
 2. FOR LESS-THAN 24-HOUR FACILITIES ANY injury to a child or staff member that requires ~~emergency~~ medical attention by a health care professional or admission to a hospital. FOR 24-HOUR FACILITIES, THOSE SUBJECT TO RULES SECTIONS 7.705, 7.708, 7.709, 7.710, 7.713, 7.714, 7.715, AND 7.718, AN INJURY TO A CHILD OR STAFF MEMBER THAT REQUIRES EMERGENCY MEDICAL ATTENTION BY A HEALTH CARE PROFESSIONAL OR ADMISSION TO A HOSPITAL.
 3. A mandatory reportable illness, as required by the Colorado Department of Public Health and Environment, of a child or staff member that requires emergency medical attention by a health care professional or admission to a hospital.
 4. Any allegation of physical, sexual, or emotional abuse or neglect to a child that results in reporting to a law enforcement or social services agency.
 5. Any fire that is responded to by a local fire department.
 6. Any major threat to the security of a facility including, but not limited to, a threat to kidnap a child, riots, bomb threats, hostage situations, use of a weapon, or drive by shootings.
 7. A drug or alcohol related incident involving a staff member or a child that requires outside medical or emergency response.
 8. An assault, as defined by Sections 18-3-201 through 18-3-204, C.R.S., by a child upon a child, a child upon a staff member, or a staff member upon a child which results in a report to law enforcement.
 9. A suicide attempt by a child at the facility which requires emergency intervention.
 10. Felony theft or destruction of property by a child while in placement at the facility for which law enforcement is notified.
 11. Any police or sheriff contact with the facility for a crime committed by a resident while in placement at the facility.

A report of a critical incident must be submitted on the Colorado Department of Human Services, Division of Child Care, critical incident form.

7.702.103 Administrative Records and Reports

A. The following records must be on file at the center:

1. Records of enrollment, daily attendance for each child, and daily record of the time the child arrives at and departs from the center.
2. Current health department inspection report issued within the past TWENTY FOUR (24) months.
3. Current fire department inspection report issued within the past TWENTY FOUR (24) months.
4. A list of current staff members, substitutes, and staffing patterns.
5. Copies of menus.
6. A record of visitors to the center.

~~B. Each center must immediately report in writing to the Colorado Department of Human Services any accident or illness occurring at the center that resulted in medical treatment by a physician or other health care professional, hospitalization, or death. This report must be made within 48 hours after the accident or illness occurred.~~

B. ~~C.~~ A report about a fatality must include:

1. The child's name, birth date, address, and telephone number.
2. The names of the child's parents or guardians and their address and telephone number if different from that of the child.
3. Date of the fatality.
4. Brief description of the incident or illness leading to the fatality.
5. Names and addresses of witnesses or persons who were with the child at the time of death.
6. Name and address of police department or authority to whom the report was made.

C. ~~D.~~ The center must submit to the department within 48 hours a written report about any child who has been lost from the center and for whom the local authorities have been contacted. Such report must indicate:

1. The name, birth date, address, and telephone number of the child.
2. The names of the parents or guardians and their address and telephone number if different from those of the child.
3. The date when the child was lost.
4. The location, time, and circumstances when the child was last seen.
5. Actions taken to locate the child.
6. The name of the staff person supervising the child.

D. ~~E.~~ The center must report to the Colorado Department of Public Health and Environment or its local unit any communicable illness, including but not limited to measles, mumps, diphtheria, rubella,

tuberculosis, shigella, hepatitis, meningitis, salmonella, or giardia, contracted by a staff member or a child at the center.

7.711.1 DEFINITIONS [Rev. eff. 6/1/12]5

- A. A "residential camp" is defined at Section 26-6-102(2.2), C.R.S.
- B. A residential camp may have a "primitive camp" which is a portion of the permanent camp premises or another site at which the basic needs for camp operation, such as places of abode, water supply systems, and permanent toilet and/or cooking facilities, are not usually provided.
- C. A "travel-trip camp" shall be known as a camp in which there is no permanent camp site and children move from one site to another. The travel-trip camp either originates in Colorado or moves into and/or through Colorado from another state and operates for three or more consecutive 24-hour days during one or more seasons of the year for the care of five or more children who are at least 10 years old or have completed the fourth grade ~~to 18 years old~~. The program shall have as its purpose a group learning experience offering educational and recreational activities utilizing an outdoor environment.

7.720.41 General Requirements for All Personnel [Rev. eff. 6/1/12]

- A. All personnel of the Neighborhood Youth Organization shall demonstrate an interest in and knowledge of youth development and concern for youths' well-being.
- B. All personnel shall be free from communicable disease and conduct that would endanger the health, safety, or well-being of youth. Each staff member shall furnish the Neighborhood Youth Organization with information concerning communicable health problems that could affect the staff member's ability to perform the duties of the job assigned.
- ~~C. A child abuse and neglect and a criminal record check request for all staff shall be completed and on file at the Neighborhood Youth Organization's administrative headquarters pursuant to General Rules sections 7.701.32 and 7.701.33.~~

7.720.72 Food [Eff. 4/1/11]

- A. Areas used for food preparation, dish and utensil washing, and storage shall be in compliance with the requirements of the Colorado Department of Public Health and Environment or its local unit.
- ~~B. Youth member dietary allergy information gathered during youth member admission shall be referenced when preparing food for any and all youth members.~~

7.720.81 Youth Records [Eff. 4/1/11]

The central administrative facility or Neighborhood Youth Organization site shall maintain and update annually a record on each youth that includes:

- A. The youth's full name, age, current address, date of birth, and membership.
- B. Names, addresses, and telephone numbers, which may include cell phone number(s), pagers, fax, and e-mail of parents or legal guardians.
- C. Any special instructions as to how the parents or guardians can be reached during the hours the youth is at the Neighborhood Youth Organization.
- D. Names, addresses, and telephone numbers of persons who can assume responsibility for the youth in the event of an emergency if parents or guardians cannot be reached immediately.
- E. A dated written authorization by a parent or legal guardian for:
 - 1. The youth member to attend and be a member of the Neighborhood Youth Organization and to arrive and depart with parental or legal guardian supervision.
 - 2. Emergency medical care signed and submitted annually by the parent or guardian.
 - 3. The youth to participate in field trips and to participate in program activities, listing any possible exclusions.
- F. Reports of critical incidents including, but not limited to, serious injuries and accidents occurring during care that result in medical attention, admission to the hospital, or death of a youth.
- ~~G. Information regarding food borne allergies shall be obtained from all youth members and shall be referenced when preparing or serving food to youth members to prevent allergic reactions.~~
